

# The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

**NOTE:** The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

## Title 23 : Motor Vehicles

### Chapter 011 : Financial Responsibility and Insurance

#### Subchapter 001 : GENERAL PROVISIONS

(Cite as: 23 V.S.A. § 804)

#### § 804. Method of proof

(a) Proof of financial responsibility shall be furnished by an insurance company authorized to do business in this State, in a form satisfactory to the Commissioner and shall be evidence of the insuring of such person against claims and judgments for personal injury and property damage in the amounts specified in section 801 of this title, provided the policy of insurance shall be noncancellable except after 15 days' notice to the Commissioner; or such proof may be the bond of a surety company, authorized to transact business in this State, which bond shall be conditioned for the payment of such amounts. An insurance company or surety company issuing such policy or bond shall immediately furnish, for filing with the Commissioner, a satisfactory certificate certifying that such policy or bond has been issued. Instead of the certificate, proof may be furnished by any computer-generated means approved by the Commissioner. Once proof furnished in this manner is accepted by the Commissioner, the insurance company or surety company shall be bound in the same manner as if a certificate had been furnished for filing.

(b) An insurance or surety company shall bear responsibility for its errors, including failure to file in a timely manner, in connection with the filing of the certificate referred to in subsection (a) of this section. All costs and expenses incurred by insureds and the Commissioner of Motor Vehicles as a consequence of the failure to file a properly executed certificate shall be paid by the insurance or surety company.

(c) The Commissioner may require that an insurance or surety company appoint an in-state representative having authority to execute certificates on its behalf when an insurer fails to submit properly executed certificates.

(d) If an insurer is not authorized to do business in this State, the Commissioner may accept a written certificate, provided that the certificate issued on behalf of an operator who is a nonresident of this State otherwise conforms with the provisions of this chapter and the insurer complies with the following conditions with respect to the policies certified:

(1) the insurer executes a power of attorney authorizing the Commissioner to accept service on its behalf of notice or process in any action arising out of a motor vehicle crash in this State; and

(2) the insurer agrees in writing that these policies shall be deemed to conform with the laws of this State.

(e) If an insurer not authorized to transact business in this State but qualified to furnish proof defaults in any undertakings or agreements, the Commissioner shall not accept as proof any certificate of the insurer so long as the default continues. (Amended 1983, No. 101 (Adj. Sess.); 1987, No. 192 (Adj. Sess.), § 1; 1995, No. 67 (Adj. Sess.), § 3; 1997, No. 117 (Adj. Sess.), § 36, eff. Jan. 1, 1999.)